

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed March 13, 2003. Upon entry of the amendments in this response, claims 1 – 8, 10 – 12 and 14 – 21 and remain pending. In particular, Applicant has amended claims 1, 5, 12, and 15 – 16 and has canceled claims 9, 13 and 21 – 25 without prejudice, waiver, or disclaimer. Applicant has canceled claims 9, 13 and 21 – 25 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Indication of Allowable Subject Matter

The Office Action indicates that claims 6 and 7 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims. As set forth above, Applicant has amended claim 1 which serves as a base claim for both claims 6 and 7, and respectfully asserts that claims 6 and 7 are still in condition for allowance.

Objections to the Claims

The Office Action indicates that claim 12 stands objected to because “said first surface” lacks antecedent basis. As set forth above, Applicant has amended claim 12 and respectfully asserts that the objection has been rendered moot.

Rejections Under 35 U.S.C. §112

The Office Action indicates that claims 5 – 9 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action indicates that claim 5 is confusing and/or incomplete as to the cooperation of elements and that claims 6 – 9 have inherited the deficiency of claim 5 through their dependency. As set forth above, Applicant has amended claim 5. Therefore, Applicant respectfully asserts that the rejection has been accommodated.

Rejections Under 35 U.S.C. §102

The Office Action indicates that claims 1 – 4, 14 – 17, 19 and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Thorsten*, that claims 1, 15 – 17, 19 and 22 – 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Liu*, that claims 1, 13 – 20 and 22 – 25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Lee*, and that claims 1 – 4, 10 – 12, 15 – 18 and 22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Fernald*. As set forth above, Applicant has canceled claims 22 - 24 without waiver, disclaimer or prejudice and respectfully asserts, therefore, that the aforementioned rejections have been rendered moot as to these claims. With respect to the remaining claims, Applicant has amended claims 1, 15 and 16 and respectfully asserts that the rejection as to these claims has been accommodated. Specifically, Applicant has amended each of claims 1, 15 and 16 to recite “said optical filter component being a multi-layer interference filter.” Support for this feature/limitation can be found at various locations of the application, e.g., page 9, lines 8 – 10 and FIGs. 2-4 and 6-9. Applicant respectfully asserts that none of the cited references teach or otherwise disclose at least this feature/limitation in combination with the other features/limitations recited respectively in these claims. Additionally, since dependent claims

2 – 4, 10 – 14 and 17 – 21 include all the features/limitations of their respective base claims, Applicant respectfully asserts that the rejection as to these claims also has been rendered moot.

Rejections Under 35 U.S.C. §103

The Office Action indicates that claims 5, 8 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Fernald*. As mentioned above, Applicant has amended claim 1 from which claims 5, 8 and 9 depend. Therefore, each of these claims incorporates all of the features/limitations recited in independent claim 1. Specifically, each of these claims incorporates at least the feature/limitation of “said optical filter component being a multi-layer interference filter.” Since *Fernald* does not teach or otherwise disclose at least this feature/limitation, Applicant respectfully asserts that the rejection has been rendered moot and that the pending claims are in condition for allowance.

Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1 – 8, 10 – 12 and 14 - 21 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on 5/16/03.

Stephanie Riley
Signature